

LOS LUNAS SCHOOLS BOARD OF EDUCATION
SPECIAL MEETING
AUGUST 6, 2024

A. CALL TO ORDER

Dr. Osowski called the Special Meeting of the Los Lunas Schools Board of Education to order at 6:00 pm. She welcomed those who were participating in the board meeting in person and those who were watching the board meeting via livestreaming on YouTube. She asked that anyone addressing the Board use the microphone at the podium, and to be sure to identify themselves for the record. Dr. Osowski added that, as a reminder, the link to the meeting was on the District's webpage, under the Board of Education page. She stated that the streaming would run through the end of the meeting. In the event there was a disruption in the audio portion, she would pause the meeting until it was reestablished.

LLS Board Members Present: Dr. Michelle Osowski, President
District #2 Vacant
Justin Talley, Secretary
Bruce Bennett, Member
P. David Vickers, Member

Administrators Present: Susan Chavez, Acting Superintendent
Sandy Traczyk, Assistant Superintendent
Jessica Montaña, Assistant Superintendent
Miranda Baca, Dir. of Finance
Suzy Chavez, Dir. of Professional Learning
Karla Dow, Dir. of Assessment and Accountability
Mary McGowan, Dir. of Special Education
Monica Rivera, Dir. of Elementary Programs
Michelle Romero, Dir. of Purchasing
Chelsea Servantes, Dir. of Secondary Programs
Venessa Tregembo, Dir. of Support Services
Lisa Begay, Principal, Ann Parish Elementary
Teri Gough, Principal, Katherine Gallegos Elementary
Mathew Pendrak, Principal, Los Lunas Elementary
Amy Viramontes, Asst. Principal, Los Lunas High School
Jennifer Otero, Asst. Principal, Valencia High School

A. CALL TO ORDER (Continued)

Others Present: Felina Martinez, Valencia County News Bulletin
Mary Ann Chavez, NEA-Los Lunas
Approximately ten additional individuals were in attendance.
A range of 20 -25 individuals watched via live streaming.

1. PLEDGE OF ALLEGIANCE

Board Secretary Justin Talley was asked to lead the audience in the Pledge.

2. ASCERTAIN QUORUM

- **Dr. Michelle Osowski, Board President**
- **Justin Talley, Board Secretary**
- **P. David Vickers, Board Member**
- **Bruce Bennett, Board Member**

Dr. Osowski had the Executive Assistant call for a roll call of the board members. It was noted that four board members were in attendance.

B. ANNOUNCEMENT OF MEETING

Dr. Osowski asked Acting Superintendent Ms. Chavez to announce the meeting.

Ms. Chavez reported the meeting had been announced in accordance with the NM Open Meetings Act and LLS Open Meetings Resolution, and was a legally constituted meeting of the Los Lunas Schools Board of Education.

C. PLEDGE OF ALLEGIANCE

This item was inadvertently listed twice, and was not addressed. – kw

D. EXECUTIVE: APPROVAL OF PRIORITIZED AGENDA

Dr. Osowski announced that took them to Item #D. EXECUTIVE: APPROVAL OF PRIORITIZED AGENDA. She asked Ms. Chavez if there were any changes or deletions to the agenda. There being none, Dr. Osowski called for a motion.

Mr. Talley moved, and Mr. Bennett seconded, to approve the agenda as submitted.

Dr. Osowski asked if there was any discussion.

There being no discussion, Dr. Osowski called for a vote with the following results: Mr. Vickers - yes; Mr. Talley – yes; Mr. Bennett - yes; and Dr. Osowski - yes. The motion to approve the prioritized agenda, as submitted, passed 4:0.

E. PUBLIC COMMENT *(In Accordance with Board Policy B-2150 Public Address to the Board)*

Dr. Osowski asked if they had any individuals that had asked to address the Board. Ms. Chavez stated that two individuals had asked to provide public comment that evening.

Dr. Osowski stated that before they moved to public comment, she would like to remind the audience of the Board's procedures regarding the handling of public comment, which followed Board Policy B – 2150 BDEH. Public comment was limited to five minutes per individual speaker; however, the Board President might further restrict or waive those time limits based on the number of speakers. The Board welcomed their input. The Board did not prohibit public criticism or comment upon personnel matters but did discourage personal attacks on board members, staff, or other persons. Presenters were cautioned that statements concerning others that convey an unjustly unfavorable impression may subject the presenter to civil action. Any person making public comments would be solely responsible for the content of his or her comments. The Board neither adopted nor assumed any responsibility for comments made by individuals in the public comment section of the board meeting.

E. PUBLIC COMMENT *(In Accordance with Board Policy B-2150 Public Address to the Board)*
(Continued)

Dr. Osowski asked Ms. Monica Otero to the podium.

- Ms. Monica Otero said that first, and foremost, she would like to thank everyone for allowing her to serve this District. She was very sad to have resigned. She stated that she did feel it was forced upon her without due process. She felt bad the way it turned out.

Ms. Otero stated that she was informed, because she'd moved outside of District 2, although she still lived in the District, she would have to resign effective immediately. Ms. Otero stated that she was threatened with the Attorney General if she did not do so.

Ms. Otero stated that she was there to do what was in the best interest of the children of this District and she was not there on her own agenda. She stated that she hoped moving forward that the children would be put first and kept first in all of their (the Board's) decisions.

Ms. Otero stated that was all she had to say for now.

Dr. Osowski thanked Mrs. Otero very much for coming and letting them hear her thoughts. She then called Mr. Manuel Otero to the podium.

- Mr. Manuel Otero, stated that he was Monica Otero's older brother. She (Ms. Otero) had basically beaten him to the punch on what he wanted to say. He stated that she (Ms. Otero) was really strong-armed into the decision. He believed that it was because of what someone else thought and it was basically to put on her. Mr. Otero stated that there was no due process that took place. She (Ms. Otero) was blindsided and he believed it was due to a personal vendetta, and that it was pretty clear now what's going on.

Mr. Otero stated that he hoped that the Board, there, still served the community and the children, and were not there for their own personal reasons. He said that was all he had to say and thanked them.

Dr. Osowski thanked Mr. Otero for his time.

F. DETERMINATION OF THE METHOD AND TIMELINE TO FILL THE LLS' BOE VACANCY OF SINGLE-MEMBER DISTRICT #2

Dr. Osowski stated that took them to Item F. DETERMINATION OF THE METHOD AND TIMELINE TO FILL THE LLS' BOE VACANCY OF SINGLE-MEMBER DISTRICT #2. She said she would like to move to propose a timeline and a method to...

Mr. Bennett interjected and stated that he had a motion.

Mr. Bennett moved that he would like to nominate Sonya C'Moya to fill the vacancy in the District 2 position.

Dr. Osowski called for a second.

Dr. Osowski stated that she would second the motion for the purposes of discussion.

Dr. Osowski asked if there was any discussion.

Mr. Bennett stated that he had nominated Sonya C'Moya for the board position. She had served as a board member in the past. She was very knowledgeable and he thought she would be an asset to the Board. She also served on the Governing Committee which was named by Ryan Stewart, and that was his basis for her nomination. Mr. Bennett noted that Ms. C'Moya did qualify for filling that position because she had run in that District that past November. That was the basis for his nomination.

Mr. Vickers stated that it had been raised that they should probably offer the public the opportunity to submit names, so that they could look at those who were interested, and then make a choice from the names that were submitted so that they were not cutting out the public and preempting public sentiment.

Mr. Talley stated that there had been an inquiry to the State Election Commission as to whether Monica Otero had really needed to resign. The definition of 'District' was ambiguous in the Constitution and they were waiting for an advisement on that.

Before they made a decision on who they were going to appoint, Mr. Talley thought they should give time for public interest and wait and see if they get the decision. They could still move forward with either next week, with Mr. Bennett's recommendation to appoint Ms. C'Moya. Mr. Vickers offered they get public comment.

Mr. Talley said he thought they could give time for public interest in that time, and they would still have the other two options of just appointing someone, or waiting to see what answer the State Elections Commission came back with their answer.

Dr. Osowski told Mr. Talley she had a question. When did an inquiry from this Board go to the State Election Commission, and when was he advised on it? Mr. Talley stated he was advised of it that day by a constituent.

Dr. Osowski thanked him. She said she also believed they needed to enfranchise the community. She did believe that Mrs. Sonya Moya was definitely qualified and had the experience and background; however, she knew there was community sentiment when the Governing Council was appointed without input from the community.

She too echoed Mr. Vickers' sentiments that they accept public interest. They could discuss that next, and then, move forward with the selection at the next board meeting. By then, they might have an answer back on the inquiry. If there was no further discussion she would ...

Note: The Board was told that that people listening in could not hear the meeting. Dr. Osowski stated that she would pause the meeting, and would begin the meeting once they were assured the meeting was being properly livestreamed.

BREAK

The meeting was paused at 6:02 pm.

REGULAR SESSION:

The meeting was called back into Regular Session at 6:13 pm.

It was stated that those viewing had been unable to hear the Public Comment.

Dr. Osowski said she was going to call for vote.

Mr. Vickers interjected and said he hadn't finished his comments yet. He then asked Mr. Talley if he had any idea when the Election Commission would have the answer. Mr. Talley stated that he did not. He proposed that if they had not heard by next week, that they move ahead with one of the other two options of either appointing or by that time they would have had time for public input.

Mr. Vickers stated that he was sure they understood the urgency of the matter. Mr. Talley responded that he would believe so.

Per Mr. Vickers' request, Dr. Osowski restated the motion on the floor.

Mr. Bennett moved, and Dr. Osowski seconded, for the appointment of Mrs. Sonja C'Moya in to the vacant position of the single member District 2 board position. Dr. Osowski asked if there was any more discussion. There being none, Dr. Osowski call for a vote. The results were as follows: Mr. Vickers – no; Mr. Talley – no; Mr. Bennett – yes; and Dr. Osowski – no. The motion failed: 3/1.

Dr. Osowski stated that the second part of Item F. was for the timeline to fill the board of education vacancy. While they had talked about it in discussion, they did not have a motion and an action.

Dr. Osowski moved that the timeline be, that they made a determination by Tuesday, August 13th - that being in terms of the selection for the Single-Member District #2, and conduct a swearing in ceremony, if appropriate, on Tuesday, August 20th at the regularly scheduled board meeting.

Mr. Vickers asked what the first item was of the timeline. Dr. Osowski stated that the first part of the timeline was to accept letters of interest and select ... the first item on the motion was to select a replacement for the single-member District #2 and the second part was, and to conduct a swearing in ceremony, if appropriate, at the regularly scheduled board meeting on Tuesday, August 20th.

F. DETERMINATION OF THE METHOD AND TIMELINE TO FILL THE LLS' BOE VACANCY OF SINGLE-MEMBER DISTRICT #2 (Continued)

Mr. Vickers was given clarification Dr. Osowski stated that they would be voting for those things - the selection would be made the next Tuesday, August 13th, and the swearing in ceremony would be performed on Tuesday, August 20th.

Dr. Osowski moved, and Mr. Talley seconded, to make the selection on next Tuesday, August 13th, with the swearing in ceremony held, on August 20th.

Dr. Osowski asked if there was Discussion.

Mr. Talley said, that to be clear, the motion at the next meeting they would select either from public interest or by selection, they (the Board) would select a new board member. Dr. Osowski stated that yes, if they didn't have an answer back.

Mr. Talley stated that it could either be someone they appointed or someone who had expressed a letter of interest. Dr. Osowski stated would be the third part of that complicated thing was how they were going to take interest.

Dr. Osowski stated that the timeline was the second part of Item F. She asked if there were comments or discussion.

Mr. Vickers asked what kind of deadline were they going to give for people to put in a letter of interest. Dr. Osowski thought that would be the next Monday, August 12th by 11:59 pm. He asked to put in a letter of interest. They would be doing homework on Tuesday.

Ms. Chavez asked how they would submit them. Dr. Osowski stated electronically.

Mr. Vickers asked if they were going to have an Executive Session prior to the meeting next Tuesday to look at the letters. Dr. Osowski stated that they had not announced it, and was not ten days in advance.

F. DETERMINATION OF THE METHOD AND TIMELINE TO FILL THE LLS' BOE VACANCY OF SINGLE-MEMBER DISTRICT #2 (Continued)

The Executive Assistant stated that they could not go into Closed Executive Session to discuss a potential board member. It was not an exception under the Open Meetings Act. The notice for a special meeting was 72 hours.

Dr. Osowski thanked Ms. Wolfe and said the answer was no because they had not made an announcement of the Executive Session.

Dr. Osowski asked if there was any more discussion. There being none, Dr. Osowski called for a vote. The results were as follows: Mr. Vickers – yes; Mr. Talley – yes; Mr. Bennett – yes; and Dr. Osowski – yes. The motion passed: 4/0.

Dr. Osowski stated that the third part of Item F was the method, although they had just talked about that it could be a letter submitted electronically.

Dr. Osowski stated she would like to propose that they would receive a letter, and it could be delivered electronically, stating a person's interest in the position, and assurances they resided in single member District 2. That was all she was most interested in. She suggested that it be received on Monday by 11:59 pm next Tuesday, August 13th . She said those letters could be electronically.

Mr. Vickers stated that they would need to verify that they were a qualified elector. Dr. Osowski stated that was correct.

Mr. Vickers asked who was in charge of making sure that happened? Dr. Osowski stated that it usually came out of the Superintendent's Office they signed off those board members.

Mr. Bennett asked what the time was. Dr. Osowski stated that it was Monday, 11:59 pm. a letter of interest would be submitted and that could be received electronically. So next Monday, for selection on Tuesday, August 13th. She stated that she may have mumbled her words.

Mr. Talley asked if that was enough time for the candidate to do what they needed to do, or was that a district responsibility or was it the responsibility of the County.

F. DETERMINATION OF THE METHOD AND TIMELINE TO FILL THE LLS' BOE VACANCY OF SINGLE-MEMBER DISTRICT #2 (Continued)

Dr. Osowski stated that their board policy was not clear on that, and legal counsel, in talking with her this past week because there was a statement that was being written and submitted for this. It was an affidavit, in essence, de facto. The person was saying I live in this district, and by signing their name to the letter, by de facto – that was their statement of truthfulness. She added that they could ask for other pieces of evidence. She didn't know how that would work

Mr. Talley asked if that would give the District the time they needed to verify?

The Executive Assistant was asked how that normally occurred. Ms. Wolfe stated that the affidavit of residency in a voting district came from the courthouse. She stated she had never verified where a board member lived. Their office (the Superintendent's Office) could notarize an affidavit to that effect. As they (the board members) knew when they filed, they went through the court house and they certified that information there. They had never done that through the Superintendent's Office.

Mr. Vickers stated that it should only take a few minutes to verify a person's address and whether they were a vote. It shouldn't be that hard to do it on Tuesday morning.

Mr. Vickers then asked the Executive Assistant if she could get a notice in the newspaper for Thursday regarding the board opening and the letters of interest. Ms. Wolfe responded that if he was asking if she could get an add in the paper the next day, the answer was no, there was not enough time. The paper was produced on Wednesday morning and came out on Thursday. There was a process that was followed and there was a timeline to purchase and submit an ad for printing. If they wanted a notice sent to the News Bulletin, that, if she had the information by 8:30 the next day (Wednesday), she could send it to the News Bulletin, and they could notice the opening, as well as, the special meeting on Thursday's paper. She would also have it posted on the web, and at the sites.

Mr. Vickers stated that they could ask the News Bulletin right then since the reporter was in attendance. He said he thought that would take care of it.

F. DETERMINATION OF THE METHOD AND TIMELINE TO FILL THE LLS' BOE VACANCY OF SINGLE-MEMBER DISTRICT #2 (Continued)

Dr. Osowski asked if there was any other discussion or if they needed further clarification. She asked if they were ready for the vote. At Mr. Talley's request, Dr. Osowski stated that it was part three of Item F which was establishing methods of gathering community interest in the open position for single-member District #2.

Dr. Osowski repeated the motion that they would accept written letters of interest, to include a statement of interest and assurances that the person wanting to be considered for the position lived in single-member District #2. That the letter of interest could be received electronically, no later than Monday, 11:59 PM on August 12th. Mr. Talley said he would second the motion even though they had gone out of order and had already discussed it.

Dr. Osowski stated that the motion from Mr. Vickers was: The Board would accept written letters of interest to include a statement of interest and assurances that the person wanting to be considered for the position, lived in single-member District #2. The letter of interest could be received electronically, no later than Monday, 11:59 PM on August 12th

Discussion ensued whether that would limit the Board. Were they limited to those that wrote the letter of interest, or would they still be allowed to nominate somebody?

Dr. Osowski stated that she did not have a problem with that. That was not really under that motion. It was part of the discussion, she guessed. When they were talking about method, did they want to say other than the letter of interest, if the Board wanted to, they could nominate someone.

Mr. Bennett said that he agreed. Basically, it was up to the Board to appoint and vote, with the majority of the members present. He agreed that if there was someone who didn't submit, and, if the board member wanted to, he thought they could nominate someone.

Dr. Osowski stated that she would restate and amend the motion to say that the Board would accept letters of interest for the position up to 11:59 pm on Monday, August 12th. If the Board did not receive letters of interest then the Board could nominate a person.

F. DETERMINATION OF THE METHOD AND TIMELINE TO FILL THE LLS' BOE VACANCY OF SINGLE-MEMBER DISTRICT #2 (Continued)

Dr. Osowski asked Mr. Bennett if he wanted the word ‘and?’ .. He responded that he would like and/or. Dr. Osowski stated ok. Discussion ensued during which Mr. Bennett and Mr. Talley thought that would be better so they didn’t limit themselves.

Dr. Osowski stated her amended motion would be ...

The Board would accept letters of interest and / or nominations from the Board. The letters for the position would be received up to 11:59 pm on Monday, August 12th.

Dr. Osowski stated that they needed a second.

Mr. Talley seconded the amended motion. Dr. Osowski stated that they had discussed it, then asked if they needed more discussion. There being none, Dr. Osowski call for a vote. The results were as follows: Mr. Vickers – yes; Mr. Talley – yes; Mr. Bennett – yes; and Dr. Osowski – yes. The amended motion passed: 4/0.

G. CONSIDERATION OF A STIPEND AND DETERMINATION OF AN AMOUNT OF THE STIPEND FOR THE ACTING SUPERINTENDENT RETROACTIVE TO JULY 23, 2024

Dr. Osowski stated that they were now on Item G. CONSIDERATION OF A STIPEND AND DETERMINATION OF AN AMOUNT OF THE STIPEND FOR THE ACTING SUPERINTENDENT RETROACTIVE TO JULY 23, 2024.

Dr. Osowski called for a motion.

Mr. Vickers stated that he had a motion, and that they (the Board) all had a copy of it, including Ms. Wolfe. He then read the following motion.

Mr. Vickers moved, that the Board authorize the Board President and one other board member of her choosing, to meet with Susan Chavez to determine a stipend that was fair and fiscally responsible. Mr. Talley seconded the motion.

G. CONSIDERATION OF A STIPEND AND DETERMINATION OF AN AMOUNT OF THE STIPEND FOR THE ACTING SUPERINTENDENT RETROACTIVE TO JULY 23, 2024

(Continued)

Dr. Osowski stated that they a motion from Mr. Vickers, and a second from Mr. Talley that the Board authorize the Board President and one other board member of her choosing, to meet with Mrs. Susan Chavez to determine a stipend that was fair and fiscally responsible.

She asked if there was discussion.

Mr. Talley asked when that meeting would happen, or if that was something that they could go into Close Executive Session for then and do, or was that something that they would do at a later date. Dr. Osowski stated that she would arrange a time that was mutually agreeable with the other board member and Mrs. Chavez.

Mr. Talley asked if they would then vote on it on the following meeting? Dr. Osowski stated that the motion did not include coming back to the Board for action.

Mr. Talley stated that it left it open-ended. Dr. Osowski stated that yes, it did.

Mr. Talley asked about holding a Closed Executive Session to discuss it. Dr. Osowski stated that they would not have a Closed Executive Session until they could schedule it on August 20th.

Mr. Talley stated that after the stipend had been determined, which was likely appropriate, that he would like the Board to approve it rather than approve it now and then decide on the stipend later. A brief discussion ensued between Dr. Osowski and Mr. Talley. Dr. Osowski said she understood what he was saying.

She then asked if there was any other discussion.

Mr. Vickers stated that he'd made the motion because it streamlined the process. The motion did give the President, and one other board member the authority to determine that stipend. He added that it was similar to when they hired a superintendent and then somebody was assigned the task of dealing with the details of the contract. Those never come back to the Board for approval because it was stipulated and authority given for the person to act on behalf of the Board. That was what that proposal was. With the superintendent, they would maybe agree to some type of a cap. It basically authorized her (the Board President) and somebody else to do the right thing.

**G. CONSIDERATION OF A STIPEND AND DETERMINATION OF AN AMOUNT OF THE STIPEND FOR THE ACTING SUPERINTENDENT RETROACTIVE TO JULY 23, 2024
(Continued)**

Mr. Bennett stated that he would second the motion. A brief discussion, ensued whether they had jumped out of turn again. Dr. Osowski stated that they already had a second. Mr. Talley thanked Mr. Vickers for his explanation.

There being no further discussion, Dr. Osowski called for a vote with the following results: Mr. Vickers – yes; Mr. Talley – yes; Mr. Bennett – yes; and Dr. Osowski - yes. Motion regarding the stipend passed: 4/0.

H. ANNOUNCEMENT OF MEETINGS

Dr. Osowski stated that took them to Item H. ANNOUNCEMENT OF MEETINGS. She added that, as allowed by the NM Open Meetings Act and the District’s Open Meetings Resolution, on occasion, a quorum of the board members attended the same function, including those held at school sites, sports functions, as well as, community events and possible open houses. The board members agreed they would not discuss school business while at those functions.

A brief discussion ensued regarding a work session to be held prior to the Board Meeting on August 20th. The details would be noticed when finalized. The following dates were announced:

- August 13, 2024 Finance Committee Meeting 3:00 pm
CO Conference Room
- August 13, 2024 Audit Committee Meeting 4:00 pm
CO Conference Room
(Attendance by Audit Committee Members only)
- August 13, 2024 Special Board Meeting 6:00 pm
CO Board Room
Selection of the District 2 BOE Member - elect
- August 20, 2024 Work Session 3:00 – 5:00 pm
Topics still to be finalized
- August 20, 2024 Regular Board Meeting 6:00 pm
CO Board Room

I. ADJOURNMENT

Dr. Osowski stated that before she called for a motion to adjourn, she would ask the board

members to remain seated for a few moments after the meeting as there may be signatures that the staff needed to obtain.

Mr. Talley moved, and Mr. Bennett seconded, to adjourn the meeting. Dr. Osowski called for a vote with the following results: Mr. Vickers -yes; Mr. Talley – yes; Mr. Bennett - yes; and Dr. Osowski- yes. Motion to adjourn the meeting passed: 4/0.

The meeting was adjourned at 6:33 pm.

Approved this 20th day of August 2024.

Dr. Michelle Osowski, Board President

Justin Tally, Board Secretary

ksw